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FISCAL IMPACT REPORT

ORIGINAL DATE 01/23/07
 LAST UPDATED 03/07/07

SPONSOR HCPACS HB 1227/HCPACS

SHORT TITLE Require Stillbirth Registration SB _____

ANALYST Hanika Ortiz

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Non-Rec	Fund Affected
FY07	FY08	FY09		
	\$3.2		Recurring	General Fund
	\$.8		Recurring	Day Care Fund

(Parenthesis () Indicate Revenue Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY07	FY08	FY09	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$.1 see narrative			recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)

Health Policy Commission (HPC)

Taxation & Revenue Department (TRD)

SUMMARY

Synopsis of Substitute

The House Consumer and Public Affairs Committee Substitute for House Bill 1227 amends the Vital Statistics Act, Section 24-14-22 NMSA 1978 to replace “Reports of Fetal Death” with “Certificates of Fetal Death”. The statute currently requires a report of fetal death when the fetus has a weight of five hundred grams or more. The bill will add language to include fetal deaths “that occur after twenty complete weeks of gestation”; adds a new section to require the state registrar to establish a certificate of birth resulting in stillbirth; and, provides for various associated requirements.

The bill also amends Section 24-14-29 NMSA 1978 to impose a fee for each search of a vital record to produce a “Certificate of Fetal Death”, or a “Certificate of Birth Resulting in Stillbirth”. Currently, there is no fee for a “Report of Fetal Death.”

The bill also provides additional requirements for registration of fetal deaths with the Vital Statistics Bureau of the New Mexico Department of Health’s Public Health Division and, under some cases, the State Registrar. The bill also provides for delayed registration of fetal deaths under certain circumstances and as established by rule of the state registrar.

FISCAL IMPLICATIONS

The substitute bill establishes a \$5.00 fee for each search of vital records to produce a copy of a certificate of fetal death or stillbirth. Twenty percent of the newly generated fees to be distributed to the Day-Care Fund; and, the remaining amounts to be distributed to the General Fund. Section 29-14-29.1 NMSA 1978, allows for balances in the Day-Care Fund to be distributed to the Children, Youth & Family Department for use in implementing the income-eligible Day-Care program under the Social Services Block Grant Act Title XX.

DOH reports that searches for birth and death certificates are conducted electronically and certified copies issued from the electronic record. There is currently no electronic system for registration and issuance of fetal deaths or of births resulting in stillbirths. The Bureau of Vital Records and Health Statistics does not currently issue certified copies of Reports of Fetal Deaths; however, a copy of the report will be provided upon request by the parents for no charge. The average number of fetal deaths per year is 81 or 4.3 per 1000 live births, with fewer than three requests per year for a Report of Fetal Death.

SIGNIFICANT ISSUES

The Bureau of Vital Records and Health Statistics receives Reports of Fetal Death for fetuses weighing 500 or more grams. DOH further reports the statute regarding reporting of fetal deaths was revised in 1980 to the weight-in-grams requirement so that New Mexico would be consistent with the National Center for Health Statistics in the Centers for Disease Control. Weight of a fetus can be reliably ascertained while gestation in weeks is not as reliable, especially if the mother has not had prenatal care.

ADMINISTRATIVE IMPLICATIONS

DOH reports that the Department believes the bill will require the Bureau to produce two documents for one event: a certificate of fetal death and a certificate of birth resulting in stillbirth.

TECHNICAL ISSUES

Pg 1 line 25 and Pg 2 line 1 refers to the vital statistics bureau of the public health division. The vital statistics bureau (now called the bureau of vital records and health statistics) is located in the epidemiology and response division of DOH.

OTHER SUBSTANTIVE ISSUES

The CDC website states the 1992 Revision of the Model State Vital Statistics Act and Regulations recommends the following reporting requirement for fetal death:

“Each fetal death of 350 grams or more, or if weight is unknown, of 20 completed weeks gestation or more, calculated from the date last normal menstrual period began to the date of delivery, which occurs in this state shall be reported within 5 days after delivery to the (Office of Vital Statistics) or as otherwise directed by the State Registrar”.

CDC further notes within the Departments website that reporting requirements vary state by state.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Reports of spontaneous fetal death in a fetus with a weight of five hundred grams or more will continue to be reported to the state register within ten days per the Vital Statistic Act. Parents will continue to not be charged a fee for a “report of fetal death”.

AMENDMENTS

The Committee may wish to insert the following language into the body of the bill if deemed appropriate:

Pg 1, within paragraph A “Each spontaneous fetal death that occurs in this state, where the fetus has a weight of (350, 400 or 500) grams or more, **or if weight is unknown**, that occurs after (19 or 20) weeks gestation shall be reported...”

AHO/mt